

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

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IN RE:	:	:	
	:	:	<u>RESOLUTION OF DECISION</u>
RESOLUTION OF DECISION APPROVING	:	:	
WITHDRAWAL OF PETITIONS	:	:	DOCKET NOS.
	:	:	
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PR 10-217	PR 11-142	PR 11-311	PR 12-096
PR 10-274	PR 11-145	PR 11-326	PR 12-116
PR 10-282	PR 11-147	PR 11-332	PR 12-154
PR 10-299	PR 11-158	PR 11-340	PR 12-167
PR 10-310	PR 11-229	PR 11-347	PR 13-019
PR 10-312	PR 11-264	PR 11-348	PR 13-028
PR 10-314	PR 11-265	PR 11-350	PR 13-041
PR 10-316	PR 11-266	PR 11-353	PR 13-057
PR 10-324	PR 11-270	PR 11-386	PR 13-065
PR 10-326	PR 11-273	PR 11-402	PR 13-067
PR 10-332	PR 11-278	PR 12-002	PR 13-111
PR 10-343	PR 11-281	PR 12-005	PR 13-161
PR 10-369	PR 11-283	PR 12-009	PR 13-169
PR 10-416	PR 11-288	PR 12-019	PR 13-170
PR 11-066	PR 11-302	PR 12-029	PES 10-013
PR 11-098	PR 11-305	PR 12-033	PES 12-011

**WHEREAS:**

Each petitioner in the following cases withdrew its petition in accordance with a written stipulation of settlement with the Commissioner of Labor, Respondent in each matter:

1. Docket No. PR 10-217, Ajay Sarin and 1508 Flatbush Supermarket, Inc.
2. Docket No. PR 10-274, Seth Gross and Blue Mountain Chiropractic & Family Wellness P.C.
3. Docket No. PR 10-282, Eli M. Fischer and Choice Paper Co., Inc.
4. Docket No. PR 10-299, East Shore Care Wash Inc. (T/A East Shore Car Wash & Detail)
5. Docket No. PR 10-310, Rick Shmaruk
6. Docket No. PR 10-312, Joseph Rosetti
7. Docket No. PR 10-314, Shi Yon Chen and Anna Wang and Xiao Lu Zhuang A/K/A Xioping Lu Zhuang and New York Sign City Inc.
8. Docket No. PR 10-316, James D. Dunning, Jr.

9. Docket No. PR 10-324, Stafford Chevrolet
10. Docket No. PR 10-326, Jan Budel (T/A Blue Wood Co.)
11. Docket No. PR 10-332, Randall Lane
12. Docket No. PR 10-343, Garry E. Bradhering and Chris Harris and Mapeasy, Inc.
13. Docket No. PR 10-369, Nam Ju Jeong and Hae Suk Shin and Aburndale Sushi Corp. (T/A Pado Sushi)
14. Docket No. PR 10-416, Samanta Cortes and Fashion Design Concepts, Inc.
15. Docket No. PR 11-066, Joe Tuchrello
16. Docket No. PR 11-142, Richard S. Perlmutter and Harper Products, Ltd (T/A Pencoia)
17. Docket No. PR 11-145, Mastronardi, Antonio & United Transit Mix, Inc.
18. Docket No. PR 11-158, James E. Bush and Bush Communications, Inc.
19. Docket No. PR 11-229, Paul W. Harris and Paul W. Harris Funeral Home, Inc.
20. Docket No. PR 11-264, Ambush Alarm and Electronics, Inc.
21. Docket No. PR 11-265, Esther Rosenthal
22. Docket No. PR 11-266, Samanta Cortes and Fashion Design Concepts, Inc.
23. Docket No. PR 11-270, Paul Sukjolinskiy
24. Docket No. PR 11-273, S M L Sport Ltd, (T/A SML Sport LLC)
25. Docket No. PR 11-281, George M. Valiadis and Vessa Restaurant Corp. (T/A Merrick Mall Restaurant)
26. Docket No. PR 11-283, Soliman A. Souweha and O&O Deli & Grocery
27. Docket No. PR 11-288, Rodolfo Valentin Quiroga and Jorge Maria Perez
28. Docket No. PR 11-302, Eddy Mourad and La Princesa Fashions, In. (T/A La Princesa)
29. Docket No. PR 11-305, Ponciano Ferreras and Rapid Parts Plus Auto, Inc.
30. Docket No. PR 11-326, Abraham J. Betesh, 242 Lenox Avenue Holding LLC and Abeco Management LLC

31. Docket No. PR 11-332, Jon Newcomer and Burk St. John and Hudson Park Restaurant, LLC
32. Docket No. PR 11-340, Michael S. Hochman, Michael Card and Ultra Power P.T. Corp.
33. Docket No. PR 11-347, William J. Bitetto and Barrier Beach Construction Corp. (T/A B & B Construction)
34. Docket No. PR 11-348, Petal A Williams and Morris M. Leon (T/A W & L Day Care)
35. Docket No. PR 11-350, Hyun C. Seo A/K/A Michael Seo and Clean Structure, Inc. and Clean Port, Inc. (T/A Clean Port)
36. Docket No. PR 11-353, Mary Rubino and Atef Abbasi and On Top Tours NYC Inc.
37. Docket No. PR 11-386, Mendy Gorodetsky and Safety Lead Services Corp.
38. Docket No. PR 11-402, John C. Alberto Jr., Louis Sacco and Lojo Food Market Inc.
39. Docket No. PR 12-002, Avi Sharifi (T/A Viatto, Inc.)
40. Docket No. PR 12-005, Stephen A. Adeyinka and Association of Black Social Workers, Inc. (T/A ABSW Senior Citizen Center)
41. Docket No. PR 12-009, David W. McAlpine (T/A McAlpine Associates Architects P.C.)
42. Docket No. PR 12-019, Maria Mittermeier and Lil' Angels Academy, Inc.
43. Docket No. PR 12-029, Alexander Stepura and Alex York Furniture, Inc.
44. Docket No. PR 12-033, Anatoly Rosenthal and Brightstar Transportation Services Inc.
45. Docket No. PR 12-096, Frank Solana and Restore Once Inc. (T/A Servpro of Greater Smithtown)
46. Docket No. PR 12-116, Antonio Garcia A/K/A Antonio Vilchis and Edwin Rivera and Mexicosina Jackson Inc.
47. Docket No. PR 12-154, Mi Young Suh and Chang Im Choe and Berry Hill Farm of NY, Inc.
48. Docket No. PR 12-167, Chirag D Corporation (T/A Parish Mini Mart)
49. Docket No. PR 13-028, Fernando Paguay and Telmo Paguay and Paguay Construction Corp.
50. Docket No. PR 13-057, Keith V. Provo

51. Docket No. PR 13-065, Azzedine Nouira
52. Docket No. PR 13-067, Chardean Chum and Golden Clothing LLC
53. Docket No. PR 13-111, Christina DeLucia and Premier Supplies USA, Inc. (T/A Premier Supplies)
54. Docket No. PR 13-161, Susan Simione and East Coast Embroidery LTD
55. Docket No. PR 13-169, Larry Bear and port Answer LLC
56. Docket No. PR 13-170, Anthony Sotto and Vincent Sotto and Franklin Manchester (T/A The Inn at Fox Hollow)
57. Docket No. PES 10-013, Fire Department of the City of New York (EMS Battalion 40, 5011 7th Avenue, Brooklyn, NY 11220)
58. Docket No. PES 12-011, State University of New York, Stony Brook University

**AND WHEREAS:**

On the record at hearing, each petitioner in the following case(s) withdrew its petition in accordance with a settlement agreement with the Commissioner of Labor, respondent in each matter:

1. Docket No. PR 11-098, D. James Sutton and Stephen Sutton Elhannon LLC and Foxcroft Nurseries, Inc.
2. Docket No. PR 11-147, Rosana Araujo Rosa AKA Rosana Rosa Araujo
3. Docket No. PR 11-278, Janine M. Mastrantone and Matthew Mastrantone (T/A Garrison Stone Works)
4. Docket No. PR 13-019, Ahmad Kakar (T/A Vinny's Pizza and Pasta)
5. Docket No. PR 13-041, Jugdeep Singh A/K/A Jay Singh and Tax Genius, Inc.

**AND WHEREAS:**

By letter, each petitioner in the following case(s) withdraws its petition, subject to Board approval:

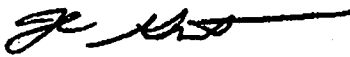
1. Docket No. PR 11-311, Nicholas J. Angelis and Sunrise Pizza, Inc. (T/A Nick's Pizza)

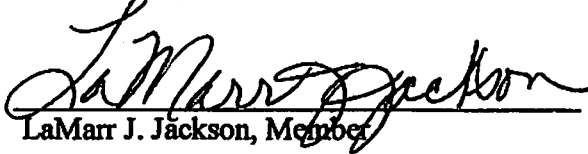
**NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:**

The Board approves the petitioners' withdrawal of the above mentioned petitions, and the above proceedings be, and the same hereby are, discontinued in accordance with the Board's Rules of Procedure and Practice § 65.15.

  
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Anne P. Stevason, Chairperson

  
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J. Christopher Meagher, Member

  
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Jean Grumet, Member

  
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LaMarr J. Jackson, Member

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Jeffrey R. Cassidy, Member

Dated and signed in the Office  
of the Industrial Board of Appeals  
at New York, New York, on  
January 16, 2014.